

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

BRENDA STEWART,	)	
	)	
	)	
Plaintiff,	)	Cause No. 4:13-CV-00391
	)	
vs.	)	Removal from:
	)	Circuit Court of St. Louis County, Missouri
	)	Case No.: 1356-AC00153, Div. 41
UNITED COLLECTION BUREAU, INC.,	)	
	)	
	)	
Defendant.	)	JURY TRIAL DEMANDED

**NOTICE OF REMOVAL**

COMES NOW Defendant, United Collection Bureau (“UCB”), and for its Notice of Removal, states the following:

**BACKGROUND**

1. On or about January 2, 2013, Plaintiff Brenda Stewart filed an original Petition in the Circuit Court of St. Louis County, State of Missouri, claiming that UCB violated the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692 *et seq.* The petition also alleges that UCB violated the Telephone Consumer Protection Act of 1991 (“TCPA”), 47 U.S.C. § 227 *et seq.*

2. Plaintiff is a resident and citizen St. Louis County in the State of Missouri. (See, Exhibit A at ¶1.)

3. Defendant UCB is a foreign corporation organized and existing under the laws of the State of Ohio, with its principal place of business in Ohio, and authorized to conduct business in the State of Missouri.

4. Defendant UCB was served and received first notice of Plaintiff's lawsuit on March 1, 2013.

### **REMOVAL JURISDICTION**

5. Plaintiff's claims are brought solely under two federal statutes, namely the FDCPA, 15 U.S.C. § 1692, *et seq.*, and the TCPA, 47 U.S.C. § 227.

6. Under 28 U.S.C. § 1331, this Court has "original jurisdiction of all civil actions arising under the Constitution, *laws*, or treaties of the United States.

7. Accordingly, this Court has original jurisdiction over Plaintiff's claims and UCB is entitled to remove this action pursuant to 28 U.S.C. § 1441.

8. Further, the requirements set forth in 28 U.S.C. § 1446(b) have been met, in particular, this removal has been filed within 30 days of the date UCB was served with a copy of Plaintiff's petition.

9. Contemporaneously herewith, UCB has given Plaintiff written notice of the filing of this Notice of Removal.

10. Further, pursuant to 28 U.S.C. § 1446(d), UCB has filed a copy of this Notice of Removal with the Clerk of the Circuit Court of St. Louis County, Missouri.

11. Also, pursuant to Local Rule 2.03, UCB files herewith a copy of "all process, pleadings, orders, and other documents on file in case no. 1356-AC00153 in the Circuit Court of St. Louis County, Missouri as Exhibit A.

**WHEREFORE**, Defendant United Collection Bureau provides notice that it has removed to this Court the above-referenced civil action asserted by Plaintiff Brenda Stewart, cause no. 1356-AC00153, which is currently pending in the Circuit Court of St. Louis County, Missouri.

Respectfully submitted,

BROWN & JAMES, P.C.

/s/ Patrick A. Bousquet

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*Attorney for Defendant United*

*Collection Bureau, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing was electronically served pursuant to this Court's electronic filing system, which served notice upon all counsel of record and was further served by mail upon the following:

Mr. James W. Eason, #57112

Mr. Richard A. Voytas, #52046

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